



Computershare Governance Services, Inc.

100 Beard Sawmill Road, Shelton, CT 06484

04/11/2022

Foster Wheeler Energy Corporation
 Frederick Wolsky Legal Asbestos Litigation
 Amec Foster Wheeler Limited
 53 Frontage Road
 Hampton NJ 08827

SERVICE OF PROCESS NOTICE

Item: 2022-631

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard.

1.	Entity Served:	Foster Wheeler Energy Corporation
2.	Title of Action:	Rita Wright, et al. vs. ABB, Inc., et al.
3.	Document(s) Served:	Law Firm Letter Civil Cover Sheet Notice to Plead Defendant's Service List
4.	Court/Agency:	Philadelphia County Common Pleas Court, Pennsylvania
5.	State Served:	New Jersey
6.	Case Number:	220302742
7.	Case Type:	Asbestos
8.	Method of Service:	Hand Delivered
9.	Date Received:	Wednesday 04/06/2022
10.	Date to Client:	Monday 04/11/2022
11.	# Days When Answer Due: Answer Due Date:	20 Tuesday 04/26/2022 CAUTION: Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.
12.	Sop Sender: (Name, City, State, and Phone Number)	Meirowitz & Wasserberg Newark, NJ 800-726-6326
13.	Shipped To Client By:	Email Only with PDF Link
14.	Tracking Number:	
15.	Handled By:	311
16.	Notes:	Please note an unexpected delay in delivery of the document was experienced due to an unusual handling and delivery by our courier service. We apologize for any inconvenience Also Attached: * Civil Action Complaint * Schedule 1, etc.

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At ComputerShare, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by United Agent Group Inc.

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MEIROWITZ & WASSERBERG

March 30, 2022

Via Hand Delivery

FOSTER WHEELER ENERGY CORPORATION
PERRYVILLE CORPORATE PARK
HAMPTON NJ 08827

To Whom It May Concern:

Enclosed please find the CIVIL COVER SHEET, COMPLAINT, AND MASTER CASE MANAGEMENT ORDER in the following matter:

- GERALD WRIGHT, v. ABB INC., et. al., (Case No.: 220302742)

If you have any questions, regarding this service please feel free to contact us at (212) 897-1988. Thank you.

Very truly yours,

Chelsea Roman
Chelsea Roman
Receptionist

Meirowitz & Wasserberg, LLP mwinjurylaw.com samndan.com

CALL TOLL FREE 1-800-SAM N DAN (1-800-726-6326) Office: 212-897-1988 Fax: 646-432-6887

New York 1040 Sixth Avenue, Suite 12B, New York, NY 10018

Bronx 332 E 140th Street, Suite 301 Bronx, NY 10457

Pennsylvania 24 Veterans Square, Media, PA 19063

Long Island 150 Broadhollow Road, Suite 208-A, Melville, NY 11747

Florida 101 NE 3rd Avenue, Suite 1500 Fort Lauderdale, FL 33301

New Jersey 701 Washington Street, 3rd Floor, Newark, NJ 07102

Texas 2975 Richmond Avenue, Suite 1275, Houston, TX 77098

Samuel Meirowitz licensed in NY, NJ, PA & FL Daniel Wasserberg licensed in NY, NJ, TX & IL

Kush Shukla licensed in NY, NJ & FL Perry Shusterman licensed in NY & NJ Jonathan Alvarez licensed in NY

Jenna Kristal Egner licensed in NY, NJ & PA Matthew Wurgaft licensed in NY & NJ Bonnie Steinwolf licensed in NY

Carla Pinto license in NY & NJ Neidra Wilson licensed in NJ & PA Laurita Rodriguez licensed in NY

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

MARCH 2022**002742**

E-Filing Number: 2203058986

PLAINTIFF'S NAME RITA WRIGHT		DEFENDANT'S NAME ABB, INC.	
PLAINTIFF'S ADDRESS 534 FAGLESVILLE ROAD PERKIOMENVILLE PA 18074		DEFENDANT'S ADDRESS CORPORATION SERVICE COMPANY 600 N. 2ND STREET, SUITE 401 HARRISBURG PA 17101	
PLAINTIFF'S NAME GERALD WRIGHT		DEFENDANT'S NAME AIR & LIQUID SYSTEMS CORPORATION	
PLAINTIFF'S ADDRESS 534 FAGLESVILLE ROAD PERKIOMENVILLE PA 18074		DEFENDANT'S ADDRESS CORPORATION SERVICE COMPANY 2595 INTERSTATE DRIVE SUITE 103 HARRISBURG PA 17110	
PLAINTIFF'S NAME		DEFENDANT'S NAME CARRIER CORPORATION	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS CT CORPORATION SYSTEMS 600 N. 2ND STREET, SUITE 401 HARRISBURG PA 17101	
TOTAL NUMBER OF PLAINTIFFS 2	TOTAL NUMBER OF DEFENDANTS 31	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival	
CASE TYPE AND CODE T1 - MASS TORT - ASBESTOS			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
FILED PRO PROTHY MAR 28 2022 S. RICE			

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: RITA WRIGHT , GERALD WRIGHT

Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY JENNA K. EGNER		ADDRESS MEIROWITZ & WASSERBERG, LLP 535 FIFTH AVENUE 23RD FLOOR NEW YORK NY 10017	
PHONE NUMBER (212) 897-1988	FAX NUMBER none entered		
SUPREME COURT IDENTIFICATION NO. 319075		E-MAIL ADDRESS jenna@mwinjurylaw.com	
SIGNATURE OF FILING ATTORNEY OR PARTY JENNA EGNER		DATE SUBMITTED Monday, March 28, 2022, 10:03 am	

COMPLETE LIST OF DEFENDANTS:

1. ABB, INC.
CORPORATION SERVICE COMPANY 600 N. 2ND STREET, SUITE 401
HARRISBURG PA 17101
2. AIR & LIQUID SYSTEMS CORPORATION
CORPORATION SERVICE COMPANY 2595 INTERSTATE DRIVE SUITE 103
HARRISBURG PA 17110
3. CARRIER CORPORATION
CT CORPORATION SYSTEMS 600 N. 2ND STREET, SUITE 401
HARRISBURG PA 17101
4. CBS CORPORATION
ALIAS: F/K/A WESTINGHOUSE ELECTRIC CORPORATION
600 GRANT STREET
PITTSBURGH PA 15219
5. COOPER CROUSE-HINDS
500 NORTH 7TH STREET
SYRACUSE NJ 13221
6. CLEAVER BROOKS COMPANY, INC.
CORPORATION SERVICE COMPANY 2595 INTERSTATE DRIVE SUITE 103
HARRISBURG PA 17110
7. CRANE CO.
CT CORPORATION SYSTEMS 600 N. 2ND STREET, SUITE 401
HARRISBURG PA 17101
8. EATON CORPORATION
ALIAS: SII CUTLER-HAMMER, INC.
CT CORPORATION SYSTEM 600 N. 2ND STREET, SUITE 401
HARRISBURG PA 17101
9. FOSTER WHEELER ENERGY CORPORATION
PERRYVILLE CORPORATE PARK
HAMPTON NJ 08827
10. GENERAL ELECTRIC COMPANY
75 SAM FONZO DRIVE
BEVERLY MA 01915
11. GOULD ELECTRONICS, INC.
CT CORPORATION SYSTEM 4400 EASTON COMMONS WAY
COLUMBUS OH 43219
12. GOULDS PUMPS, INC.
240 FALLS ST.
SENECA FALLS NY 13147
13. GRINNELL LLC
CT CORPORATION 28 LIBERTY STREET, 42ND FLOOR
NEW YORK NY 10005
14. HAJOCA CORPORATION
CORPORATION SERVICE COMPANY 80 STATE STREET
ALBANY NY 12207
15. HONEYWELL INTERNATIONAL INC.
ALIAS: SII ALLIED SIGNAL, INC., AND BENDIX CORPORATION
2595 INTERSTATE DRIVE #103
HARRISBURG PA 17110
16. HOWDEN NORTH AMERICA, INC.
ALIAS: SII BUFFALO FORGE COMPANY
CT CORPORATION SYSTEM 2 OFFICE PARK COURT, SUITE 103
COLUMBIA SC 29223
17. IMO INDUSTRIES, INC.
THE CORPORATION TRUST COMPANY 1209 NORTH ORANGE STREET
WILMINGTON DE 19801
18. ITT CORPORATION
ALIAS: SII TO BELL & GOSSETT AND KENNEDY VALVES
CT CORPORATION 28 LIBERTY STREET
NEW YORK NY 10005
19. KEELER-DORR-OLIVER BOILER COMPANY
MARON & MARVEL 1201 N. MARKET ST., #900
WILMINGTON DE 19801
20. KILLARK

- 2112 FENTON LOGISTICS PARK BLV
FENTON MO 63026
21. MINNESOTA MINING & MANUFACTURING COMPANY
ALIAS: AKA 3M COMPANY
CORPORATION SERVICE COMPANY 801 ADLAI STEVENSON DRIVE
SPRINGFIELD IL 62703
22. MIDDENDORF ENTERPRISES, INC.
121 VALLEY ROAD
ARDMORE PA 19003
23. NOSROC CORP.
ALIAS: SII G. & W.H. CORSON
CT CORPORATION 600 NORTH 2ND STREET SUITE 401
HARRISBURG PA 17101
24. PROCESS WATER SYSTEMS, INC.
ALIAS: SII TO U.S. FILTER/PERMUTIT, INC.
CORPORATION TRUST CENTER 1209 ORANGE STREET
NEW CASTLE DE 19801
25. QUEEN CASUALS INC. AS A SUBSIDIARY OF INTERCO, INC.
PRENTICE-HALL CORPORATION SYST 2595 INTERSTATE DRIVE SUITE 103
HARRISBURG PA 17110
26. ROCKWELL AUTOMATION, INC.
ALIAS: SUCCESSOR TO ALLEN BRADLEY
CT CORPORATION SYSTEM 28 LIBERTY STREET, 42ND FLOOR
NEW YORK NY 10005
27. SIEMENS INDUSTRY, INC.
CT CORPORATION SYSTEM 28 LIBERTY STREET, 42ND FLOOR
NEW YORK NY 10005
28. SCHNEIDER ELECTRIC USA, INC.
ALIAS: F/K/A SQUARE D COMPANY
CORPORATION SERVICE COMPANY 80 STATE STREET
ALBANY NY 10118
29. UNION CARBIDE CORPORATION
CT CORPORATION 28 LIBERTY STREET, 42ND FLOOR
NEW YORK NY 10005
30. WARREN PUMPS LLC
THE CORPORATION TRUST COMPANY 1209 ORANGE STREET
WILMINGTON DE 19801
31. ZURN INDUSTRIES, INC.
CT CORPORATION SYSTEM 28 LIBERTY STREET, 42ND FLOOR
NEW YORK NY 10005

MEIROWITZ & WASSERBERG, LLP

Jenna Kristal Egner, Esq.

Attorney ID No. 319075

24 Veterans Square

Media, PA19063

(212) 897-1988

Attorneys for Plaintiffs



RITA WRIGHT and GERALD WRIGHT, h/w,

Plaintiffs,

v.

ABB, INC., et al.,

Defendants.

**PHILADELPHIA COUNTY
COURT OF COMMON PLEAS
CIVIL TRIAL DIVISION**

MARCH TERM 2022

NO.

**ASBESTOS CASE
JURY TRIAL DEMANDED**

NOTICE TO PLEAD

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
LAWYER REFERRAL AND INFORMATION SERVICE
One Reading Center
Philadelphia, Pennsylvania 19107
Telephone: 215-238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plaza al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACIÓN DE LICENCIADOS DE FILADELFA
SERVICIO DE DEFERENCIA E INFORMACIÓN LEGAL
One Reading Center
Filadelfia, Pennsylvania 19107
Telephone: 215-238-1701

MEIROWITZ & WASSERBERG, LLP

Jenna Kristal Egner, Esq.

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**PHILADELPHIA COUNTY
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CIVIL TRIAL DIVISION**

**MARCH TERM 2022
NO.**

**ASBESTOS CASE
JURY TRIAL DEMANDED**

DEFENDANT'S SERVICE LIST

ABB, INC.

Corporation Service Company

600 N. 2nd Street, Suite 401

Harrisburg, PA 17101

AIR & LIQUID SYSTEMS CORPORATION

Corporation Service Company

2595 Interstate Drive, Suite 103

Harrisburg, PA 17110

CARRIER CORPORATION

CT Corporation Systems

600 N. 2nd Street, Suite 401

Harrisburg, PA 17101

**CBS CORPORATION, f/k/a VIACOM INC.,
successor by merger to CBS CORPORATION,
f/k/a WESTINGHOUSE ELECTRIC CORPORATION**

Asbestos Litigation Support Manager
Eckert Seamans Cherin & Mellott, LLC
Case Management & Technology Center USX Towers
600 Grant Street
Pittsburgh, PA 15219

COOPER CROUSE-HINDS

500 North 7th Street
Syracuse, NY 13221

CLEAVER BROOKS COMPANY, INC.

Corporation Service Company
2595 Interstate Drive, Suite 103
Harrisburg, PA 17110

CRANE CO.

CT Corporation Systems
600 N. 2nd Street, Suite 401
Harrisburg, PA 17101

EATON CORPORATION,

Individually and as successor in interest to CUTLER-HAMMER, INC.

CT Corporation System
600 N. 2nd Street, Suite 401
Harrisburg, PA 17101

FOSTER WHEELER ENERGY CORPORATION

Perryville Corporate Park
Hampton NJ 08827

GENERAL ELECTRIC COMPANY

75 Sam Fonzo Drive
Beverly, MA 01915

GOULD ELECTRONICS, INC.

CT Corporation System
4400 Easton Commons Way
Columbus, OH 43219

GOULDS PUMPS, INC.

240 Falls St.
Seneca Falls, NY 13147

GRINNELL LLC

CT Corporation
28 Liberty Street, 42nd Floor
New York, NY 10005

HAJOCA CORPORATION

Corporation Service Company
80 State Street
Albany, NY 12207

HONEYWELL INTERNATIONAL INC.

as Successor in Interest to Allied Signal, Inc., and Bendix Corporation
2595 Interstate Drive #103
Harrisburg, PA 17110

HOWDEN NORTH AMERICA, INC.

as Successor in Interest to Buffalo Forge Company
CT Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

IMO INDUSTRIES, INC.

The Corporation Trust Company
1209 North Orange Street
Wilmington, DE 19801

ITT CORPORATION,

Individually and as Successor-in-Interest to Bell & Gossett and Kennedy Valves
CT Corporation
28 Liberty Street
New York, NY 10005

KEELER-DORR-OLIVER BOILER COMPANY

Wayne A. Marvel, Esq
Maron & Marvel
1201 N. Market St., #900
Wilmington, DE 19801

KILLARK

2112 Fenton Logistics Park Blvd.
Fenton, MO 63026

MINNESOTA MINING & MANUFACTURING COMPANY,
a/k/a 3M COMPANY
Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703

MIDDENDORF ENTERPRISES, INC.
121 Valley Road
Ardmore, PA 19003

NOSROC CORP.,
Individually and as Successor in Interest to G. & W.H. CORSON
CT Corporation
600 North 2nd Street, Suite 401
Harrisburg, PA 17101

PROCESS WATER SYSTEMS, INC.,
Individually and as Successor in interest to U.S. Filter/Permutit, Inc.
Corporation Trust Center
1209 Orange Street
New Castle, DE 19801

QUEEN CASUALS INC. AS A SUBSIDIARY OF INTERCO, INC.
Prentice-Hall Corporation System, Inc.
2595 Interstate Drive, Suite 103
Harrisburg, PA 17110

ROCKWELL AUTOMATION, INC.,
Individually and as Successor to ALLEN BRADLEY
CT Corporation System
28 Liberty Street, 42nd Floor
New York, NY 10005

SIEMENS INDUSTRY, INC.
CT Corporation System
28 Liberty Street, 42nd Floor
New York, NY 10005

SCHNEIDER ELECTRIC USA, INC.,
formerly known as SQUARE D COMPANY
Corporation Service Company
80 State Street
Albany, NY 10118

UNION CARBIDE CORPORATION

CT Corporation
28 Liberty Street, 42nd Floor
New York, NY 10005

WARREN PUMPS LLC

The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

ZURN INDUSTRIES, INC.

CT Corporation System
28 Liberty Street, 42nd Floor
New York, NY 10005

MEIROWITZ & WASSERBERG, LLP

Jenna Kristal Egner, Esq.

Attorney ID No. 319075

24 Veterans Square

Media, PA 19063

(212) 897-1988

Attorneys for Plaintiffs

RITA WRIGHT and GERALD WRIGHT, h/w,

Plaintiffs,

v.

ABB, INC., et al.,

Defendants.

**PHILADELPHIA COUNTY
COURT OF COMMON PLEAS
CIVIL TRIAL DIVISION**

**MARCH TERM 2022
NO.**

**ASBESTOS CASE
JURY TRIAL DEMANDED**

CIVIL ACTION COMPLAINT

Plaintiffs incorporate by reference Plaintiffs Master Long Form Complaint In re: Asbestos litigation in Philadelphia County Court of Common Pleas, filed as of October Term 1986, No. 8610-0001. Pursuant to an Oder dated July 30, 1986, and signed by the Honorable Richard B. Klein, the following Short Form Complaint is utilized in this asbestos action.

1. This Complaint involves the claims of the following persons:

Plaintiff:

Name: Rita Wright

Address: 534 Faglesville Road, Perkiomenville, PA 18074

Date of Birth: 11/10/1929

Spouse Plaintiff:

Name: Gerald Wright

Address: 534 Faglesville Road, Perkiomenville, PA 18074

Date of Birth: 07/10/1926

2. The Defendants are those companies listed in the caption.

3. Plaintiffs may have named as defendants other entities that may be responsible for the manufacture, distribution, sale and/or supply of products that contained asbestos, except that each of these entities has filed for relief or been forced into involuntary bankruptcy under the United

States Bankruptcy Code and, pursuant to federal statute, the institution of actions against these entities is stayed.

4. Plaintiffs hereby incorporate by reference the following County from the Master Long Form Complaint: Counts I, II, III, IV, V, VI, VII and X.

5. Plaintiff, Rita Wright's employment history, to the extent possible at this time, is attached hereto as Schedule 1.

6. Plaintiff was diagnosed on or about March 2022 with mesothelioma which was substantially caused by her exposure to asbestos.

7. Plaintiff, Rita Wright is a non-smoker.

8. A claim for lost wages will be asserted at time of trial, if applicable.

WHEREFORE, Plaintiffs pray for judgment against the Defendants and each of them individually, jointly, and severally for compensatory damages in an amount in excess of fifty thousand dollars (\$50,000), punitive damages and all such damages and relief as this Honorable Court deems just and proper.

MEIROWITZ & WASSERBERG, LLP
Attorneys for Plaintiffs

/s/ Jenna Kristal Egner
Jenna Kristal Egner, Esq.

SCHEDULE 1
PLAINTIFFS' WORK HISTORY

Plaintiff Rita Wright was exposed to asbestos from her husband who served in the Navy and worked at the Philadelphia Naval Shipyard. This work exposed Plaintiff to asbestos from insulation, cement, pumps, valves, boilers, firebrick, gaskets, packing, pipe covering, pipe insulation, electrical equipment, parts and components. Plaintiff was also exposed to asbestos when she worked as a seamstress at the Queen Casuals and Middendorf.

Plaintiff, Rita Wright				
Employer	Location	From	To	Job Title
Middendorf's	Philadelphia, PA	1945	1946	Seamstress
Queen Casuals	Philadelphia, PA	1947	1953	Seamstress

Plaintiff, Gerald Wright				
Employer	Location	From	To	Job Title
Allied Electric	Philadelphia, PA	1953	1988	Electrician

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

WRIGHT ETAL VS ABB, INC.
ETAL

2022 TERM MARCH

No. 02742

IN RE: ASBESTOS LITIGATION - OCTOBER TERM 1986, NO. 0001

**MASTER CASE MANAGEMENT ORDER FOR
ASBESTOS-RELATED PERSONAL INJURY CLAIMS**

It is the goal of this Court to secure the just, expeditious and cost-effective determination of each personal injury case involving exposure to asbestos or asbestos-containing products pending or hereafter filed in the Court of Common Pleas of Philadelphia County to eliminate duplication of effort, prevent unnecessary paperwork and promote judicial economy.

In order to achieve these objectives, this 1st day of December, 2010, the Court enters the following Case Management Order for personal injury cases involving exposure to asbestos or asbestos-containing products.

This Case Management Order supersedes all prior Case Management Orders entered in the Asbestos Litigation and shall apply to all cases currently pending and hereafter filed in this Court.

I. PLEADINGS

A. Short Form Complaints

A Short Form Complaint shall be filed and served in every case in accordance with the Pennsylvania Rules of Civil Procedure. Plaintiffs may incorporate by reference the Master Long Form Complaints filed on the above-captioned docket.

The Short Form Complaint shall contain the information required by Philadelphia Civil Rule *1019.1(B), to the extent consistent with the Pennsylvania Rules of Civil Procedure.

A Short Form Complaint that contains premises liability claims shall include the name and address of each work site in which the plaintiff alleges exposure to asbestos and the dates during which the plaintiff or the decedent worked at each such work site.

B. Preliminary Objections

In response to each Short Form Complaint, the defendant may file preliminary objections, if deemed appropriate, in accordance with the Pennsylvania Rules of Civil Procedure and Philadelphia Civil Rule *1028. The preliminary objections shall be filed in letter brief format rather than motion package format. Its caption must specify "Asbestos Litigation" and name opposing counsel. Facts, issues and pertinent case law should be included. Each motion must include a proposed order.

C. Answers to Complaints

Defendant's answers to complaints are governed by Rule 1041.1 of the Pennsylvania Rules of Civil Procedure.

II. GIFFEAR DOCKET

Cases that do not state a valid claim pursuant to Giffear v. Johns-Manville Corp., 632 A.2d 880 (Pa.Super. 1993), aff'd sub nom. Simmons v. Pacor, Inc., 674 A.2d 232 (Pa.1996), shall be placed on an inactive docket.

To reactivate a case which has been discontinued pursuant to Giffear, a Motion to Reactivate must be filed and include all necessary medical reports supporting said motion. The motion shall be filed in letter brief format consistent with the Mass Tort Motion procedures.

III. DISCOVERY

The following deadlines shall apply for the completion of discovery and the exchange of expert reports:

180 Days prior to jury selection-

Plaintiffs shall serve answers to Defendants' Master Interrogatories and Requests for Production Directed to Plaintiffs, including information relating to Bankruptcy Trust Filings.

Plaintiffs shall forward the identification of all health care providers along with addresses to defense counsel and RecordTrak.

Plaintiffs shall forward HIPAA compliant authorizations signed by plaintiffs to RecordTrak.

120 days prior to jury selection-

Plaintiffs shall serve medical, economic and liability expert reports.

Plaintiffs shall produce to lead defense counsel all diagnostic materials in the possession of plaintiffs or their counsel and all diagnostic material reviewed by plaintiffs' experts. This includes, but is not limited to, x-rays, CT scans, pathology and cytology.

Plaintiffs shall serve product identification witness lists identifying the defendants the witnesses are expected to identify.

100 days prior to jury selection-- Completion of plaintiffs' depositions.

90 days prior to jury selection-- Completion of all co-worker depositions.

45 days prior to jury selection-- Defendants shall serve medical and economic expert reports.

10 days prior to jury selection-- Defendants shall serve expert liability reports.

IV. STIPULATIONS OF DISMISSAL

1. If a plaintiff has agreed to stipulate to the dismissal of a defendant, the defendant (hereinafter the "Stipulated Defendant") shall prepare a Stipulation of Dismissal.
2. The Stipulated Defendant shall circulate the Stipulation of Dismissal to all defense

counsel by letter, stating that any party has ten (10) days from the date of the letter to object to the dismissal of the Stipulated Defendant.

3. If a party objects to the dismissal of the Stipulated Defendant, the objecting party shall notify the Stipulated Defendant in writing of the basis for the objection.

4. If, after the expiration of the ten (10) day period, no objections are received by the Stipulated Defendant, the Stipulation of Dismissal may be electronically filed with the Court as unopposed.

5. The package electronically filed with the Court shall include the signed Stipulation of Dismissal and a cover letter stating no objections have been raised within the ten (10) day period.

6. Service of the Court-approved Stipulation of Dismissal shall be effectuated via the Court's electronic filing system on all parties of record.

V. MOTION PRACTICE AND PROCEDURE

All summary judgment motions shall be filed in accordance with the Revised Asbestos Summary Judgment Motion Procedures, a copy of which is attached hereto. In addition, to prevent the filing of unnecessary motions, five (5) days prior to the deadline for filing summary judgment motions (or 85 days prior to jury selection) Plaintiffs' counsel are to serve upon all parties to a case, a 'Dismissal Letter' indicating all defendants which Plaintiff will voluntarily dismiss from that case.

All other motions, including motions for *forum non conveniens*, motions to amend complaints, motions to compel, motions to enforce settlements, etc., shall be filed in accordance with the Revised Mass Tort Motion Procedures, a copy of which is attached hereto.

VI. TRIAL SCHEDULING

The dates for all scheduled trials will be published each Monday in *The Legal Intelligencer*.

VII. DEADLINES FOR CASES THAT MOVE TO NEW TRIAL GROUPS

If any case is moved, with the consent of the Court, from its original trial group to a later trial group, all discovery and motions deadlines for the later group will apply. Any summary judgment motions filed prior to moving the case will be considered moot and must be re-filed in accordance with the deadlines for the group to which the case has been moved, except for cases where the motion deadline for the new group has already passed at the time the case is moved. For those cases, motions will remain open and need not be re-filed. Those motions remaining open shall be decided by the Coordinating Judge in accordance with the deadlines for the new group.

VIII. CALL OF THE LIST

A brief call of the asbestos list will be conducted every Monday at 11:00 a.m. The Court will conduct general asbestos business and call those cases listed for trial for the following month. Knowledgeable representatives of each party involved in the next month's scheduled trials shall attend.

A meeting of the Asbestos Kitchen Cabinet will be conducted on the first Monday of each month, following the call of the list.

IX. SANCTIONS

Failure to comply with any deadlines set forth in the Case Management Order may result in the imposition of appropriate sanctions, including dismissal.

APR 0 9 2022

BY THE COURT:

**ARNOLD L. NEW
TEAM LEADER**

APR 06 2022